

Virginia Regulatory Town Hall

Exempt Action Final Regulation Agency Background Document

Agency Name:	State Air Pollution Control Board
Regulation Title:	Regulation for the Control of Emissions from Fleet Vehicles
Primary Action:	9 VAC 5 Chapter 121
Secondary Action(s):	None
Action Title:	Emissions from Fleet Vehicles (Rev. MH)
Date:	August 30, 2000

Where an agency or regulation is exempt in part or in whole from the requirements of the Administrative Process Act (§ 9-6.14:1 *et seq.* of the *Code of Virginia*) (APA), the agency may provide information pertaining to the action to be included on the Regulatory Town Hall. The agency must still comply the requirements of the Virginia Register Act (§ 9-6.18 *et seq.* of the *Code of Virginia*) and file with the Registrar and publish their regulations in a style and format conforming with the *Virginia Register Form, Style and Procedure Manual*. The agency must also comply with Executive Order Fifty-Eight (99) which requires an assessment of the regulation's impact on the institution of the family and family stability.

This agency background document may be used for actions exempt pursuant to § 9-6.14:4.1C 1 through 4 at the final stage. Note that agency actions exempt pursuant to § 9-6.14:4.1C 1 through 4 of the APA do not require filing with the Registrar at the proposed stage.

Summary

Please provide a brief summary of the regulation, amendments to an existing regulation, or the regulation being repealed. There is no need to state each provision or amendment.

The regulation provides emissions standards for fleet vehicles and covers fleet vehicles in the Northern Virginia area. It requires that a percentage of annual vehicle purchases by certain fleet owners be clean-fuel fleet vehicles in order to reduce emissions. The regulation is being repealed as provided in § 46.2-1179.1 of the Code of Virginia.

Statement of Final Agency Action

Please provide a statement of the final action taken by the agency, including the date the action was taken, the name of the agency taking the action, and the title of the regulation.

On September 28, 2000, the State Air Pollution Control Board repealed the regulation entitled "Regulation for the Control of Emissions from Fleet Vehicles" (9 VAC 5 Chapter 121). The repeal is to be effective on January 1, 2001.

In repealing this regulation, the Board affirmed that it will receive, consider and respond to petitions by any person at any time with respect to reconsideration or revision, as provided in § 9-6.14:4.1 C of the Administrative Process Act.

Additional Information

Please indicate that the text of the regulation, the reporting forms the agency intends to incorporate or use in administering the proposed regulation, a copy of any documents to be incorporated by reference are attached.

Please state that the Office of the Attorney General (OAG) has certified that the agency has the statutory authority to promulgate the regulation and that it comports with applicable state and/or federal law.

If the exemption claimed falls under § 9-6.14:4.1 C 4 (c) of the APA please include the federal law or regulations being relied upon for the final agency action.

The text of the regulation is available upon request.

Section 10.1-1308 of the Virginia Air Pollution Control Law (Title 10.1, Chapter 13 of the Code of Virginia) authorizes the State Air Pollution Control Board to promulgate regulations abating, controlling and prohibiting air pollution in order to protect public health and welfare. Written assurance from the Office of the Attorney General that (i) the Board has statutory authority to promulgate the final regulation amendments and (ii) the amendments qualify as an exemption under § 9-6.14:4.1 C 4 (a) of the Administrative Process Act is available upon request.

Family Impact Statement

Please provide an analysis of the impact of the regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; 4) increase or decrease disposable family income.

It is not anticipated that the repeal of this regulation will have a direct impact on families. However, there will be positive indirect impacts in that the regulation amendments will ensure that the Commonwealth's air pollution control regulations will function as effectively as possible, thus contributing to reductions in related health problems and property damage.

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